

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 006387.00037

In re U.S. Patent Application of Berti)	
)	Group Art Unit: 1744
Application No. 10/667,954)	
)	Examiner: Balsis
Filed: September 22, 2003)	
)	Confirmation No. 121
FOR: DUSTPAN AND BROOM KIT)	

ASSERTION OF SMALL ENTITY STATUS

MS: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

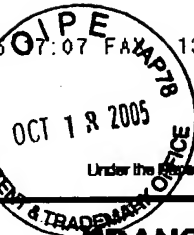
Although large entity fees were paid at the initial filing of this application, Applicant was a small entity at the time the instant application was filed, and pursuant to 37 C.F.R. §1.27, Applicant is entitled to pay small entity fees.

As this statement is not being filed within three months of the date of payment of the application filing fee, it is Applicant's understanding that they are not eligible for a refund of the overpayment. However, if this is incorrect, please refund any over payment to Deposit Account No. 19-0733.

Date: October 13, 2005

Respectfully submitted,

By: Rebecca P. Rokos
Rebecca P. Rokos
Registration No. 42,109
BANNER & WITCOFF, LTD.
10 South Wacker Drive, #3000
Chicago, IL 60606
Telephone: 312-463-5000
Facsimile: 312-463-5001



PTO/58/21 (09-04)

Approved for use through 07/31/2009. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>		Application Number	10/667,954
		Filing Date	September 22, 2003
		First Named Inventor	Berti
		Art Unit	1744
		Examiner Name	Balsis
Total Number of Pages In This Submission	6	Attorney Docket Number	006387.00037

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Issue Fee Transmittal (in duplicate) Fee Transmittal Assertion of Small Entity Status Fax Cover Sheet
Remarks The Commissioner is authorized to charge any fees in connection with this correspondence to Deposit Account No. 19-0733.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Rebecca P. Rokos		
Date	October 13, 2005	Reg. No.	42,109

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Typed or printed name	Diana Preston
Date	10-13-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. Do NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.